

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: LITHIUM ION BATTERIES
ANTITRUST LITIGATION

This Order relates to the
Indirect Purchaser Plaintiffs

Case No. 4:13-md-02420-YGR (DMR)

**ORDER DENYING WITHOUT PREJUDICE
MOTION OF OBJECTOR GORDON MORGAN
FOR ATTORNEYS' FEES**

(Dkt. No. 2019)

The Motion of objector Gordon Morgan for Attorney's Fees and service award (Dkt. No. 2019) is **DENIED WITHOUT PREJUDICE**. In its October 27, 2017 Order, Indirect Purchaser Plaintiffs' ("IPPs") motion for attorneys' fees was denied without prejudice to a renewed motion, because the request was premature. In that Order, the Court awarded IPPs a partial amount of attorneys' fees in recognition of their entitlement to an award of attorneys' fees and the protracted nature of the litigation, while contemplating that a complete award would not be ordered until it has a motion for attorneys' encompassing all settlements with IPPs in the action, including the settlement with the Sony defendants that was previously approved. While the Court noted that the characteristics of the settlements to date approach the characteristics of a so-called "megafund" case, the Court leaves for future determination whether the attorneys' fees requested would require and adjustment of the total fees finally requested by IPPs. Thus, the Court cannot find at this juncture that objector has conferred a benefit on the class that would warrant an award of attorneys' fees, a service award, or a multiplier on objectors' fees as sought in the instant motion.

IT IS SO ORDERED.

Dated: December 6, 2017

Yvonne Gonzalez Rogers
YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE